

CITY OF CHINO HILLS

PRESS RELEASE



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Contact: Denise Cattern
(909) 364-2615

Valerie McClung
(909) 364-2618

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CHINO HILLS OUTRAGED OVER SUPERIOR COURT DECISION REGARDING TEHACHAPI RENEWABLE TRANSMISSION PROJECT PROPERTY RIGHTS DISPUTE WITH SCE

Chino Hills City Attorney Mark Hensley announced at Tuesday's City Council meeting that Judge Keith Davis of the San Bernardino Superior Court ruled on Monday, April 12th that the California Public Utilities Commission (CPUC) has exclusive jurisdiction with regard to the right-of-way property rights issue between the City and SCE. The right-of-way in question cuts through Chino Hills neighborhoods in the heart of the City and was selected by SCE as the location for Segment 8 a of the Tehachapi Renewable Transmission Project (TRTP). The City Attorney advised that this action meant that the Court threw out the City's case.

According to Mr. Hensley, SCE filed the same motion a year ago and the same judge ruled in favor of the City, citing that the court did have jurisdiction in the matter.

"This is a complete reversal of the court determination from one year ago," said Mr. Hensley.

The City Attorney will review the court's decision and expects to return to the City Council in two weeks to discuss a potential appeal.

The future TRTP transmission lines are set to carry high levels of electricity in a 150 right-of-way through highly-populated neighborhoods. According to City officials, the amount of energy the lines will carry through residential neighborhoods is without precedent in California.

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Background – SCE’s Tehachapi Renewable Transmission Project

The City of Chino Hills became aware in 2007 that SCE was working through the California Public Utilities Commission to get approval for the Tehachapi Renewable Transmission Project that would deliver wind energy to the electrical grid. SCE planned to route Segment 8a right through Chino Hills neighborhoods on 150 foot right-of-way where the transmission lines had been inactive for nearly 40 years and the easements were designed for much lower levels of electricity. Since that time, the City has worked tirelessly, with experts and stakeholders, to find an alternate route.

Select Milestones

August 2, 2007 – City of Chino Hills filed a protest with the California Public Utilities Commission (CPUC) regarding the Tehachapi Renewable Transmission Project (TRTP) proposed by Southern California Edison (SCE).

February 25, 2009 - City of Chino Hills filed a complaint in San Bernardino County Superior Court against SCE based on TRTP Segment 8A “overburdening the easement over City property.” City of Chino Hills vs. Southern California Edison, CIVRS 901914.

July 22, 2009 – SCE filed a motion that the San Bernardino County Superior Court had no jurisdiction in the complaint and the issue was not yet ready for adjudication. The Judge ruled in the City’s favor that the Court had jurisdiction but “stayed” the proceedings pending the CPUC decision.

December 24, 2009 CPUC decision led to a January 22, 2010 court date to lift the “stay” and allow the action to proceed.

February 11, 2010 - SCE filed an answer to the City’s Complaint and filed a Cross Complaint against the City.

April 12, 2010 –S.B. Co. Superior Court Judge ruled that Court did not have jurisdiction.

Items Pending at the CPUC

City of Chino Hills filed:

- 1) Application for Rehearing of the CPUC Decision 09-12-044
- 2) Motion of the City for a Partial Stay of Decision 09-12-044
This is a request to order a “stay” on construction for segment 8 a through Chino Hills.

Additional background information is available at www.chinohills.org, select quick link to “Tehachapi Project.”